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| 10/049,972 | 02/13/2002 | Michael W. Johnson | NVIDP322 | 8947 |
| 28875 | 7590 | 05/08/2009 | | |
| Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120 | | | EXAMINER BATURAY, ALICIA | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL W. JOHNSON, JOHN S. MINAMI,
RYO KOYAMA, and LANDON GENTRY

Appeal 2007-2633
Application 10/049,972
Technology Center 2400

Mailed: May 12, 2009

Before DALE M. SHAW, *Chief Appeals Administrator*
SHAW, *Chief Appeals Administrator*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 24, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

Appeal 2007-2633
Application 10/049,972

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on July 3, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to consider the Reply Brief filed July 3, 2007 as indicated above; and
- 2) upon consideration of the paper, to return the application to the Board for the consideration of appealed claims.

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